

**CITY COUNCIL
CITY OF WICHITA**

K A N S A S

City Council Meeting
9:00 A.M., March 16, 2004

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations
- Associated General Contractors Annual State Building Awards.

PUBLIC AGENDA

- 1. Chris Coulson-A light for wheelchairs.

UNFINISHED BUSINESS

- 2. 2004-2005-HUD Combined Allocations/One Year Action Plan.
(Deferred March 2, 2004)

RECOMMENDED ACTION:

- 1) Approve funding allocations for the City's 2004/2005 HUD Consolidated Plan Combined Application, based upon recommended funding Amounts.
- 2) Designate use and allocations for \$721,495 CDBG Neighborhood Stabilization funding, as recommended.
- 3) Approve the Request for Proposal services/programs, as recommended.
- 4) Approve the use of ADDI funds and the reductions in HOMEownership 80 and HOME Operating Funds for CHDOs programs and the increase in the Housing Development Loan Program, as recommended.
- 5) Approve the increased amount in HOME Administration.
- 6) Approve Grants Review Committee's recommendations on HOME CHDO funding.
- 7) Approve Grants Review Committee's recommendations on Emergency Shelter Grant funding.
- 8) Authorize preparation of the One-Year Action Plan.

3. Repair or removal of unsafe structures, 4460 East Boston. (District III)
(Deferred January 6, 2004)

RECOMMENDED ACTION: Close the public hearing, adopt the resolutions declaring the buildings, dangerous and unsafe structures, and accept the BCSSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure. Any extension of time granted to repair the structure would be conditioned on the following: 1) all taxes have been paid to date, as of March 16, 2004; 2) the structure(s) has/have been secured as March 16, 2004 and will continue to be kept secured, and 3) the premises are mowed and free of debris as of March 16, 2004 and will be so maintained during renovation.

4. Repair or removal of unsafe structures, 3054 North Park Place. (District VI)
(Deferred January 13, 2004)

RECOMMENDED ACTION: Close the public hearing; adopt the resolutions declaring the buildings dangerous and unsafe structures, and accept the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure. Any extensions of time granted to repair the structure would be conditioned on the following: 1) all taxes have been paid to date, as of March 16, 2004; 2) the structure(s) has/have been secured as of March 16, 2004 and will continue to be kept secured, and 3) the premises are mowed and free of debris as of March 16, 2004 and will be so maintained during renovation.

5. Public Hearing on Proposed Assessment for 28 paving projects, **Item K**, in July 2004 Bond Sales Series 778.
(Deferred March 2, 2004)

RECOMMENDED ACTION: Approve the proposed assessment and place the Ordinance on first reading.

6. Water Well Code Revision-Chapter 7.30.
(Deferred December 16, 2003)

RECOMMENDED ACTION: Adopt the Ordinance amending Chapter 7.30.

NEW BUSINESS

7. Public Hearing on proposed assessments for (31) thirty-one water projects, (36) thirty-six sewer projects and (10) ten storm water projects in July 2004 Bond Sale Series 778.

The Council was notified on February 10, 2004 that the proposed assessment rolls were on file for public inspection in the Debt Management Office of the Finance Department.

RECOMMENDED ACTION: Approve the proposed assessments and place the Ordinances on first reading.

8. Public Hearing and Tax Exemption Request, Excel Manufacturing, Inc. (District IV)

On January 15, 2002, City Council approved a five-plus-five-year 100% Economic Development Tax Exemption to Excel Manufacturing, Inc. for an expansion project that resulted in the construction of a building addition and acquisition of new machinery and equipment. Based on letter of intent, Excel Manufacturing is now requesting approval of an Economic Development Tax Exemption on the newly acquired manufacturing equipment in conjunction with the expansion project.

RECOMMENDED ACTION: Close the Public Hearing; approve first reading of the Ordinance, granting an 83% tax exemption on the identified personal property improvements for a five year term; and authorize the necessary signatures.

9. Public Hearing and request for IRB Letter of Intent and Resolution of Support for Low-Income Housing Tax Credits, Windridge Apartments. (District IV)

Municipal Capital Partners L.L.C., (MCAP), is requesting City Council approval of a one-year Letter of Intent for the issuance of Industrial Revenue Bonds in an amount not-to-exceed \$4,500,000. In addition, the company is also requesting approval of a Resolution of Support for its application for Low-Income Housing Tax Credits in connection with the development of a residential apartment project.

RECOMMENDED ACTION: Approve a Letter of Intent to MCAP Windridge L.L.C. for Industrial Revenue Bonds in an amount not-to-exceed \$4,500,000, subject to the Standard Letter of Intent conditions, and adopt the Resolution of Support for low-Income Housing Tax Credits, and authorize the necessary signatures.

10. Public Hearing; Investment Resources Corporation, Inc.; Resolution of Support for Low-Income Housing Tax Credit Application. (District I)

The City has received a request from Investment Resources Corporation (IRC), for a Resolution of Support for its application for Low-Income Housing Tax Credits in connection with the development of a residential apartment project.

RECOMMENDED ACTION: Adopt the Resolution of Support for the IRC application for Low-Income Housing Tax Credits with waiver of the 20% market-rate requirement, and authorize the necessary signatures.

11. Wichita Supplier Diversity Task Team Final Report.

The City Council appointed a 15-member task force to address concerns expressed to the City Council by minority business owners.

RECOMMENDED ACTION: Receive and file report.

12. Office space for Patrol South Bureau Community Police Operations. (District VI)

In the fall of 1999, the Patrol South Bureau community policing operations were moved to 539 S. Water, which is owned by the City. The neighborhood basing of community policing operations has been a key component of the Wichita Police Department's community policing philosophy. The Department now operates four separate Police substations that are each located in the residential and business neighborhoods.

RECOMMENDED ACTION: Approve the contract and authorize the necessary signatures.

13. Arts Task Force.

The City currently provides financial and in-kind support to local arts and cultural organizations. There is no formal process in place to determine what new or existing organizations are eligible for financial or in-kind support from the City or how those organizations can access City funding.

RECOMMENDED ACTION: Approve the Arts Task Force; authorize them to make appointments and return with recommendation in 60 days.

14. 2004 Wichita Aviation Festival.

The City of Wichita initiated Request for Proposals (RFP) to organize and manage the 2004 Wichita Aviation Festival. Six organizations/businesses responded and two were selected to make presentations to the City Council.

RECOMMENDED ACTION: Authorize funding in the amount of \$125,000 for the 2004 Aviation Festival from the Tourism and Convention (Century II/EXPO Hall Renovations Account) and enter into an agreement with the Arts Council to manage the financial transactions Associated with this event and also authorize staff to negotiate a contract with Wichita Festivals Inc. to organize and manage the 2005 Aviation Festival.

15. Webb Road Pump Station Exterior Renovation. (District II)

The Webb Road Pump Station at the intersection of Webb Road and 21st Street was constructed in 1983. The pump station was designed to blend with the surrounding residential area. Since the pump station was constructed, the architectural complexion of the area has become more commercial. During construction, area residents expressed concern with the new appearance of the pump station.

RECOMMENDED ACTION: Select an option, and if required authorize the necessary signatures for a project budget revision, a change order or new contract.

CITY COUNCIL AGENDA

16. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

17. Report of the Board of Bids and Contracts Dated March 15, 2004.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

18. Application for License for Adult Entertainment Establishments/Services:

New Escort Service

Michael Doran Kingsley Absolute 1127 East Douglas

RECOMMENDED ACTION: Approve license subject to Staff review and approval.

19. Applications for Licenses to Retail Cereal Malt Beverages:

Renewal 2004 (Consumption on Premises)

Maria E. Tena Angela's Café* 901 East Central

New Operator 2004 (Consumption on Premises)

Bounhacksa Saykhamphaine Thai Palace Restaurant* 948 South Oliver

New Operator 2004 (Consumption off Premises)

Sohail Moiz Johnny's Mini Mart 3520 North Woodlawn
Paresh Merchant Smeet LLC 731 North Ridge Road

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

20. Preliminary Estimates:

- a) 2004 Contract maintenance diamond grinding of Hydraulic, Pawnee to I-135 - north of I-135, on Hydraulic. (472-83920/132716/) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$144,000.00
- b) 2004 Contract maintenance street repair & quickset slurry seal, Phase 2 - north of US-54, east of 119th Street West. (472-83918/131532/132716/) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$684,646.32
- c) 2004 Contract maintenance asphalt mill & overlay - north of Harry, east of Meridian. (472-83922/132716/620398/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV,VI) - \$368,000.00
- d) Water distribution system to serve Auburn Hills 15th Addition - north of Kellogg, west of 135th Street West. (448-89910/735169/470839) Does not affect existing traffic. (District V) - \$87,000.00
- e) Water distribution system to serve Harvest Ridge Addition - south of 31st Street South, west of Maize. 448-89849/735161/470831) Does not affect existing traffic. (District V) - \$128,000.00
- f) Water distribution system to serve Rivendale Addition - south of 55th Street South, west of Hydraulic. (448-89887/735160/470830) Does not affect existing traffic. (District III) - \$108,000.00

(item 20 continued)

- g) Main 15 Four Mile Creek Sewer - along Greenwich Road north approx. 600 ft. south of Bayley to Kellogg. (468-83586/624504/699004) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$1,500,000.00
- h) 2004 Contract maintenance bridge deck resurfacing of the Harry Street Bridge over Gypsum Creek – east of Woodlawn, on Harry. (472-83919/132716/) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$137,925.00
- i) Improving 119th Street West from 160 ft. south of 17th Street North to 360 ft. south of 21st Street North to provide 2 and 3 lanes with center left turn lane, median, drainage and landscaping - 119th Street West from 17th Street North to 21st Street North. (472-83890/706875/204341) 119th closed to thru traffic for a period of approx. (6) eight weeks. Contractor to maintain access for local traffic.. (District V) - \$981,946.50
- j) Victoria Court from Victoria east to and including the cul-de-sac to serve Lots 8 through 19, Block C; Mona from Hydraulic west to the west line of Lot 18, Block A; Ellis from Pattie north to Mona; Victoria from the south line of Lot 6, Block E, north to Mona; Mona Court from Mona north to and including the cul-de-sac; Sidewalk along one side of Mona and Victoria to serve Rivendale Addition - north of 55th Street South, west of Hydraulic. (472-83866/765833/490944) Does not affect existing traffic. (District III) - \$425,000.00
- k) Lateral 15, Main 19, Southwest Interceptor Sewer to serve Ridge Addition - north of 37th Street North, west of Ridge. (468-83736/744024/480712) Does not affect existing traffic. (District V) - \$229,000.00
- l) Water Distribution System to serve Ridge Addition - north of 37th Street North, west of Ridge. (448-89898/735159/470829) Does not affect existing traffic. (District V) - \$110,000.00
- m) Camden Chase from the east line of Peckham to the southwest corner of Lot 1, Block 2, Hawthorne Second Addition; Sidewalk on both sides of Camden Chase from the east line of Peckham to the southwest corner of Lot 1, Block 2 to serve Hawthorne & Hawthorne Second Additions - north of 21st Street North, east of 127th Street East. (472-83849/765830/490941) Does not affect existing traffic. (District II) – \$371,850.00
- n) Camden Chase from the southwest corner of Lot 1, Block 2 to the east line of Lot 8, Block 2, Hawthorne Second Addition; Sidewalk constructed on both sides of Camden Chase from the southwest corner of Lot 1, Block 2 to the east line of Lot 8, Block 1 to serve Hawthorne & Hawthorne Second Additions - north of 21st Street North, east of 127th Street East. (472-83829/765828/490939) Does not affect existing traffic. (District II) - \$183,000.00
- o) Rosemont from the north line of Camden Chase to the north line of Mainsgate Circle; Rosemont Courts serving Lots 1 to 16, Block 1, Hawthorne Second Addition from the west line of Rosemont to and including the cul-de-sac; Mainsgate Circle serving Lots 17 to 28, Block 1, Hawthorne Second Addition from the west line of Rosemont to and including the cul-de-sac. Sidewalk on one side of Rosemont from Camden Chase to the north line of Mainsgate Circle to serve Hawthorne & Hawthorne Second Additions (north of 21st Street North, east of 127th Street East) (472-83829/765827/490938) Does not affect existing traffic. (District II) - \$293,000.00
- p) Asphalt parking lot north of Central Maintenance Facility - 1801 South McLean Blvd. (472-83952/130807/) Does not affect existing traffic. (District IV) - \$116,000.00
- q) 20th Street North from the east line of Hydraulic to the west line of Piatt to serve Parkview Addition - south of 21st, east of Hydraulic. (472-83651/468-83615/765760/620374/490871/663495) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$170,610.00

(item 20 continued)

- r) St. Paul from the north line of 44th Street South to the south line of Lot 52, Block 2; St. Paul Court serving Lots 4 through 19, Block 6, from the east line of St. Paul to and including the cul-de-sac; Sidewalk on one side of St. Paul from 44th Street South to the south line of Lot 52, Block 6 to serve The Legacy Addition - north of 47th Street South, west of Meridian. (472-83892/765835/490946) Does not affect existing traffic. (District IV) - \$181,000.00
- s) Parkdale from the south line of Lot 1, Block 1, to the north line of Lot 26, Block 1; Bristle Cone from the west line of Lot 1, Block 2, to the north line of Lot 7, Block 2; Bristle Cone Circle from the east line of Lot 1, Block 1, to and including the cul-de-sac; Lantana from the west line of Lot 14, Block 2, to the south line of Lot 8, Block 2; Lantana Court from the east line of Lot 14, Block 1, west to and including the cul-de-sac; Sidewalk on the east side of Parkdale, the south side of Bristle Cone and the north side of Lantana to serve Evergreen 4th Addition - south of 29th Street North, west of Maize. (472-83782/765836/490947) Does not affect existing traffic. (District V) - \$450,000.00
- t) Storm Water Sewer #589 to serve Evergreen 4th Addition - south of 29th Street North, west of Maize. (468-83640/751353/485244) Does not affect existing traffic. (District V) - \$110,400.00
- u) Storm Water Sewer #601 to serve Ridge Addition - north of 37th Street North, west of Ridge. (468-83737/751350/485241) Does not affect existing traffic. (District V) - \$239,000.00
- v) Lake Ridge from the north line of 37th Street North to the south line of Lot 27, Block 1; Lake Ridge Court from the west to Lake Ridge, west and including the cul-de-sac; Lake Ridge Court from the east line of Lake Ridge east to and including the cul-de-sac; Havenhurst Circle from the west line of Lake Ridge, west to and including the cul-de-sac; Sidewalk installed along the east and north sides of Lake Ridge from the north line of 37th Street North to the north line of Lot 7, Block 2 to serve Avalon Park Addition (north of 37th Street North, east of Tyler) (472-83835/765840/490951) Does not affect existing traffic. (District V) - \$344,000.00
- w) Storm Water Drain #213 to serve Avalon Park Addition - north of 37th Street North, east of Tyler. (468-83693/751358/485249) Does not affect existing traffic. (District V) - \$187,710.00
- x) Lateral 41 Main 15 Southwest Interceptor Sewer to serve English Country Gardens Addition - north of 13th Street North, east of Tyler. (468-83755/744038/480726) Does not affect existing traffic. (District V) - \$222,000.00
- y) Storm Water Drain #222 to serve English Country Gardens Addition - north of 13th Street North, east of Tyler. (468-83756/751361/485252) Does not affect existing traffic. (District V) - \$525,000.00
- z) Water Distribution System to serve English Country Gardens Addition - north of 13th Street North, east of Tyler. (448-89912/735171/470841) Does not affect existing traffic. (District V) - \$120,000.00
- aa) Peckham from the north line of Lot 5, Block 1, to the east line of 127th Street East; Mainsgate Circle serving Lots 2 through 14, Block 2, from the east line of Peckham to and including the cul-de-sac; Sidewalk on one side of Peckham from the north line of Lot 5, Block 1, to the east line of 127th Street East to serve Hawthorne Addition - south of 21st Street North, east of 127th Street East. (472-83638/765829/490940) Does not affect existing traffic. (District II) - \$236,340.00
- bb) Storm Water Drain #191 to serve Hawthorne Addition - south of 21st Street North, east of 127th Street East. (468-83517/751360/485251) Does not affect existing traffic. (District II) - \$169,000.00
- cc) Lateral 348 Four Mile Creek Sewer to serve Woodland Lakes Estates 3rd Addition - north of Harry, west of 127th Street East. (468-83591/744039/480727) Does not affect existing traffic. (District II) - \$67,000.00

(item 20 continued)

- dd) (Amended) Cost of Westlake Parkway Phase 1, to serve Fox Ridge Addition – north of 29th Street North, between Maize and Tyler. (472-83784/765810/490-921). (District V) – Total Estimated Cost - \$93,730.00

RECOMMENDED ACTION: Approve and file.

21. Petitions for Public Improvements:

- a) Petition to construct a frontage road on the north side of Kellogg, from 135th Street West to approximately 1,300 feet west of 135th Street West. (District V)
- b) Petition to pave 127th Street East, from Pawnee to Mt. Vernon. (District II)
- c) Petition to pave Glenwood Circle in Reed's Cove Addition, south of 21st east of 127th Street East. (District II)
- d) Petition to pave Hydraulic Drive, south of 63rd Street South. (District III)
- e) Petition to pave streets in Crystal Creek Addition, north of Harry, west of Greenwich. (District II)
- f) Petitions for Street Paving and Drainage Improvements for Auburn Hills 15th Addition, west of 135th Street West, north of Kellogg. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

22. Minutes of Advisory Boards/Commissions:

Housing Advisory Board, November 18, 2003
District V Advisory Board, January 5, 2004
Wichita Employee's Retirement Board/ Police & Fire, January 8, 2004
Board of Park Commissioners, January 12, 2004
Board of Code Standards and Appeals, February 2, 2004
District V Advisory Board, February 2, 2004
Wichita Public Library, February 17, 2004
Design Council, February 19, 2004

RECOMMENDED ACTION: Receive and file.

23. Consideration of Street Closures/Uses.

119th Street West, 17th to 21st Street. (District V)

RECOMMENDED ACTION: Approve street closures/uses.

24. Weapons Destruction:

RECOMMENDED ACTION: Receive and file list of weapons.

25. Report on Claims Allowed - 2004:

<u>Name of Claimant</u>	<u>Amount</u>
Dorsett, Michael	\$973.42
Edwards, James	\$500.00
McIlvane, Joe	\$3,449.39
Moore Engineering Services	\$8,096.00 **

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

26. Agreements/Contracts:

- a) Three Agreements to respread assessments: Eagles Landing at North Oliver Third, south of 45th Street North and west of Oliver. (District I)
- b) Relocation of utilities along Camden Chase, Rosemont and Williamsgate Streets in Hawthorne Addition, north of 21st Street North, east of 127th Street East. (District II)
- c) Kansas Aviation Museum, KDOT Supplemental Agreement. (District III)
- d) Relocation of utilities along Webb Road, south of 21st Street North. (District II)
- e) RFP for Administration of the Special Liquor Tax Program.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

27. Design Services Agreements:

- a) 2004 arterial street design - Westport at Maize Intersection. (District V)
- b) Auburn Hills 15th Addition, west of 135th Street West, north of Kellogg. (District V)
- c) Northridge Plaza Addition, north of 37th Street North, west of Ridge. (District V)
- d) Rivendale Addition, north of 55th Street South, west of Hydraulic. (District III)
- e) Hawthorne Addition, north of 21st, east of 127th Street. (District II)
- f) Woodland Lakes Estates Third Addition, south of Lincoln, west of 127th Street East. (District II)
- g) Avalon Park, north of 37th Street North, east of Tyler. (District V)
- h) Northridge Addition, north of 37th Street North, west of Ridge. (District V)
- i) Wichita Skate Park. (District I)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

28. Change Orders:

- a) Improvements to Central Riverside Park - Change Order No. 7. (District VI)
- b) Left and right turn lanes on Webb Road to serve The Waterfront Addition, north of 13th, east of Webb-Change Order. (District II)

RECOMMENDED ACTION: Approve the Change Order and authorize the necessary signatures.

29. Sale of Surplus Property: Addendum to Sale Contract for Surplus Property Located Adjacent to 310 West Central. (District VI)

RECOMMENDED ACTION: Approve sale and Contracts; authorize necessary signatures.

30. Repair or Removal of Dangerous and Unsafe Structures.

<u>Address</u>	<u>District</u>
a. 4229 East Whitney	III
b. 319 South Erie	I
c. 1225 South Vine	IV
d. 1330 South Millwood	IV
e. 3015 North Park Pl. (front)	VI

RECOMMENDED ACTION: Adopt Resolution (s) setting the Public Hearing on May 4, 2004 at 9:30 a.m. or soon thereafter.

31. Blanket Purchase Orders Renewal Options, February 2004 and Professional Contracts under \$10,000, Purchase Orders for February 2004.

RECOMMENDED ACTION: Receive and file.

32. Renewal of Adult Care Home Inspection Grant.

RECOMMENDED ACTION: Approve acceptance of the grant and authorize the necessary signatures.

33. Declaration for participation in Firefighters Relief Fund for 2003.

RECOMMENDED ACTION: Approve the Declaration for Participation In the Firefighters Relief Association for 2004 and authorize the necessary signatures.

34. KDHE Kansas Clean Water Grant.

RECOMMENDED ACTION: Approve the grant application, authorize the necessary signatures and authorize the Mayor to sign the grant award.

35. Transfer of Title to Land.

RECOMMENDED ACTION: Approve the transfers and authorize the necessary signatures.

36. Acquisition by Eminent Domain of Tracts required for the WaterWalk Project. (District VI)

RECOMMENDED ACTION: Adopt the Resolution; place the Ordinance on first reading and authorize the necessary signatures.

37. 2004 Arterial Sidewalk and Wheelchair Ramp Program, Phase I. (Districts I, II, and III)

RECOMMENDED ACTION: Approve the project; adopt the resolution and authorize the necessary signatures.

38. Convention Hall Loge/Bleacher Seating.

RECOMMENDED ACTION: Approve the construction; adopt the resolution; and authorize the necessary signatures.

39. Application for Kansas Health Foundation Recognition Grant.

RECOMMENDED ACTION: Approve the grant application and authorize the necessary signatures.

40. Kansas Health Foundation Grant Application.

RECOMMENDED ACTION: Endorse the submission of the grant application.

41. Settlement of Litigation-Case No. 03 CV 1825. (District I)

RECOMMENDED ACTION: Approve the Settlement Agreement; authorize the necessary signatures and authorize the City Attorney to take appropriate steps to settle the pending litigation upon execution of the Settlement Agreement by the City of Park City.

41a. HOME Supplemental Funding Allocations.

RECOMMENDED ACTION: Approve the HOME funding allocations for the HOMEownership 80 Program, the Deferred Loan Program and administration.

41b. HOME Program Funding Request. (District III)

RECOMMENDED ACTION: Approve the HOME Program funding request in the amount of \$175,000 under the Housing Development Loan Program; approve the funding agreement and authorize the necessary signatures.

42. Resolutions:

- a) Public Hearing: Elm paving, Sheridan to Mt. Carmel. (District VI)
- b) Public Hearings: 27th Street North Paving-Arkansas to Broadway. (District VI)

RECOMMENDED ACTION: Adopt Resolutions.

43. Second Reading Ordinances: (First read March 2 2004)

- a) Issuance of Health Care Facilities Refunding Revenue Bonds, Riverside Village, Inc. (District VI)

An Ordinance authorizing the City of Wichita, Kansas, to issue its Health Care Facilities Refunding Revenue bonds Series II, 2004, (Riverside Village, Inc.) in the aggregate principal amount of not to exceed \$9,200,000, for the purposes of refunding certain outstanding Hospital Facilities Improvement Revenue Bonds; authorizing the execution of a Trust Indenture by and between the City and UMB Bank, N.A., Wichita, Kansas, as Trustee; authorizing the City to lease the facility to Riverside Village, Inc., approving the form of a Guaranty Agreement and an Additional guaranty agreement; authorizing the execution of a Bond Purchase Agreement by and between the City, Riverside Village, Inc., Via Christi Health System, Inc., and Gold Capital Management, , Inc. as Underwriter; and authorizing the execution of a Tax Compliance Agreement relating to compliance with applicable provisions of the Internal Revenue Code of 1986, as amended, with respect to the Series II, 2004 Bonds.

- b) Public Hearing and Tax Exemption Request, Perfekta, Inc. (District VI)

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Perfekta, Inc, so exempted.

- c) DR2004-00001-Proposed Amendments to the April 19, 2001, Edition of the Wichita-Sedgwick County Unified Zoning Code (UZC), Article III-B.14.e and Article IV-B, Pertaining to Outdoor Portable Storage Containers and to Screening Requirements.

(item 43 continued)

An Ordinance providing amendments to Section III-B.14.e(3)(e) and Section IV-B.3.b(1) of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition), as adopted by reference in City of Wichita Code Sec. 28.04.010 by Ordinance No. 44-075, dealing with portable storage containers.
(DR2004-00001

- d) Portable Storage Containers-Adoption of Ordinance Creating New City Title 3.10 Setting Forth Licensing Requirements for Portable Storage Container Contractors/Companies, Companion Ordinance to UZC Article III-B.14e. and Article IV-B Amendments under DR2004-00001.

An Ordinance creating Chapter 3.10 of the Code of the City of Wichita, Kansas, pertaining to licensing of portable storage container contractors.

- e) Weed Mowing.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

- f) Lot Clean-up.

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of Section 7.40.050 of the Code of the City of Wichita, Kansas.

- g) ZON 2003-45 - northeast Corner of 151st Street, west of 29th Street North.

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2003-45)

- h) CUP2003-66-(Associated with ZON2003-75) - generally located north of Kellogg and east of Tyler Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2003-00075)

Paving Projects:

- a) (472-82873/490-898)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving LAKE RIDGE, LAKE RIDGE CTS. & SIDEWALKS, TO SERVE FOREST LAKES WEST ADDITION.

- b) (472-83256/490-867)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving RUTGERS/GREENSPOINT/PARKDALE, RUTGERS CTS, GREENSPOINT & SIDEWALK, TO SERVE EVERGREEN AND EVERGREEN 3RD ADDITION.

(item 43 continued)

c) (472-83326/490-789)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City Of Wichita, of paying a portion of the cost of improving LOTUS, LYDIA CIR/LYDIA, LOTUS CTS & SIDEWALK, TO SERVE SHELLY'S ORCHARD ADDITION.

d) (472-83384/490-854)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving GOLDEN HILLS, MILSTEAD, GRANT, GRANT CTS, GOLDEN HILLS CT INCLUDING CUL-DE-SAC & SIDEWALKS, TO SERVE FLAT CREEK ADDITION.

e) (472-83425/490-819)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving 127TH ST E FROM 1/2 MILE S OF HARRY TO HARRY, TO SERVE EQUESTRIAN ESTATES & AN UP TRACT IN THE NW 1/4 OF SEC 35, TWP 27S, R2E.

f) (472-83465/490-892)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving EAGLES LANDING, WILLOW POINT, EAGLES LANDING CT, WILLOW POINT CT & SIDEWALKS, TO SERVE EAGLES LANDING AT NORTH OLIVER 2ND ADDITION.

g) (472-83466/490-866)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving FALCON, FALCON CT & SIDEWALK, TO SERVE EAGLES LANDING AT NORTH OLIVER 2ND ADDITION.

h) (472-83469/490-870)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving WHITE TAIL/TIPPERARY, WHITE TAIL, TIPPERARY CIR, WHITE TAIL CT & SIDEWALK, TO SERVE BALTHROP 4TH ADDITION.

i) (472-83482/490-872)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving LAKEVIEW DR, CACTUS & CACTUS CT, TO SERVE SPRINGDALE EAST 2ND ADDITION.

j) (472-83529/490-847)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving KESSLER, TO SERVE WEST WAREHOUSE ADDITION.

k) (472-83530/490-848) – This Item was deferred from Council Meeting of March 2, 2004.

(item 43 continued)

l) (472-83542/490-860)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving MEADOW PARK, PEPPER RIDGE, MEADOW PARK CT., PEPPER RIDGE CTS. & SIDEWALK, TO SERVE FOSSIL RIM ESTATES ADDITION.

m) (472-83552/490-869)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving 44TH ST S, 44TH CT S & SIDEWALK, TO SERVE GRAY'S 5TH ADDITION.

n) (472-83558/490-857)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving A RIGHT TURN LANE & MAJOR ENTRANCE IMPROVEMENT ON 21ST ST N, TO SERVE MESSIAH BAPTIST CHURCH 4TH ADDITION.

o) (472-83606/491-001)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of FAÇADE IMPROVEMENTS AT 800 East DOUGLAS.

p) 472-83607/491-002)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of FAÇADE IMPROVEMENTS AT 802 East DOUGLAS.

q) (472-83616/490-862)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving SIDEWALKS ON DOUGLAS AND WABASH, TO SERVE MATHEWSON'S ADDITION.

r) (472-83622/491-003)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of FAÇADE IMPROVEMENTS AT 100 South MAIN STREET.

s) (472-83624/490-868)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving SPYGLASS, SPYGLASS CT, BLADE, MILLRUN, MILLRUN CT & SIDEWALK, TO SERVE SAWMILL CREEK ADDITION.

t) (472-83661/490-873)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving 35TH ST S, TO SERVE WEST ROBBINS 2ND & SOUTH HIGH SCHOOL ADDITIONS.

(item 43 continued)

u) (472-83675/490-882)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving MINNESOTA CT, MINNESOTA CIR, 26TH ST N & SIDEWALK, TO SERVE POWER CDC 2ND & RIDGECREST ADDITION.

v) (472-83676/490-877)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving LEFT TURN LANE @ WEBB RD & WILSON ESTATE PARKWAY, TO SERVE WILSON ESTATES MEDICAL PARK & LEGACY PARK TRACT.

w) (472-83677/490-878)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving TRAFFIC SIGNAL @ WEBB AND WILSON ESTATES PARKWAY/19TH ST, TO SERVE WILSON ESTATES MEDICAL PARK AND A TRACT WITHIN LEGACY PARK WILSON ESTATES ADDITION.

x) (472-83678/490-896)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving LINBERG AND BRONCO, TO SERVE REMINGTON PLACE 2ND ADDITION.

y) (472-83679/490-897)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving DECEL LANE ON 21ST ST N, TO SERVE REMINGTON PLACE 2ND ADDITION.

z) (472-83693/490-903)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving LEFT TURN BAY ON TYLER RD, TO SERVE TYLER'S LANDING ADDITION.

aa) (472-83707/490-900)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving IRONHORSE/IRONHORSE CIR, HILLCREST/HILLCREST CIRCLE & OXFORD, TO SERVE IRONHORSE AT OXFORD ADDITION.

bb) (472-83713/490-899)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving A LEFT TURN LANE ON TYLER, TO SERVE CENTRAL MAIZE SCHOOLS ADDITION.

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

44. CON2004-02-Conditional Use for a Accessory Apartment on Property Zoned Single-family Residential. Generally Located at the Northeast Corner of 15th Street North and Womer. (District VI)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the Conditional Use, subject to the recommended conditions; or
2) Return the applications to the MAPC for reconsideration.

45. ZON2003-00069-Zone Change from Single-family Residential and General Office to Neighborhood Retail. Generally Located on the Southeast Corner of Central and Vassar. (District II)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change, subject to the conditions of the protective overlay; approve first reading of the Ordinance establishing the zone change; or
2) Return the application to MAPC for reconsideration.

46. ZON2004-00001-Zone change from Multi-family Residential and General Office to General Commercial. Generally Located at the Northeast Corner of Topeka and Elm. (District VI)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change; approve first reading of the Ordinance establishing the zone change; or
2) Return the application to MAPC for reconsideration.

47. *ZON2004-00002-Zone Change from Multi-family Residential and Single-Family Residential to Limited Commercial. Generally Located Approximately 300-Feet South of 9th Street North, on the West Side of West Street. (District VI)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change; approve first reading of the Ordinance establishing the zone change; or
2) Return the application to MAPC for reconsideration.

48. *VAC2003-00046-Request to Vacate a portion of Platted Complete Access Control Located on the East Side of Ridge Road Between University Avenue South and Maple Street North. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

49. *VAC2003-00047-Request to Vacate a Portion of Platted Complete Access Control Located on the East Side of Ridge Road, Between University Avenue South and Maple Street North. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

50. *SUB 2003-116-Plat of Remington Place Third Addition, Located South of 21st Street North, East of Webb Road. (District II)

RECOMMENDED ACTION: Approve the Documents and Plat; authorize the necessary signatures and adopt the Resolutions.

51. *SUB 2003-126-Plat of Casa De La Familia Addition, Located North of 29th Street North, West of Broadway. (District VI)

RECOMMENDED ACTION: Approve the Documents and Plat; authorize the necessary signatures and approve first reading of the Ordinance.

52. *SUB 2003-128-Plat of Crestview Country Club Estates, Overbrook Fifth Addition, Located East of 143rd Street East, south of 13th Street North. (County)

RECOMMENDED ACTION: Approve the Documents and Plat; authorize the necessary signatures; adopt the Resolutions and approve first reading of the Ordinance.

53. *DED 2004-01-Dedication of Access Control for Property Located on the Northeast Corner of Maple and 135th Street West. (District V)

RECOMMENDED ACTION: Accept the Dedication.

54. *DED 2004-02-Dedication of Street Right-of-Way for Property Located on the West Side of Maize Road, south of Pawnee. (District IV)

RECOMMENDED ACTION: Accept the Dedication.

55. *Street Improvement Agreement for Nice's Addition, Located on the North Side of 13th Street and on the West Side of High Street. (District VI)

RECOMMENDED ACTION: Approve the Agreement and authorize the necessary signatures.

56. *Z-3341 & DP-249-Extension of Time to Complete Platting Requirement for a Zone Change from Single-Family Residential and Limited Commercial to General Commercial and the Creation of the Ewald's South Town Center Commercial Community Unit Plan on Property Generally Located South of 47th Street South and East of Broadway. (District IV)

RECOMMENDED ACTION: 1) Approve two-year extension of time to Complete platting to November 23, 2005; or
2) Deny the extension of time to complete platting and declare the zone change and C.U.P. null and void.

57. A04-07-Request by the Catholic Diocese of Wichita to Annex Lands Generally Located East of 127th Street East, Between Pawnee Road and Mt. Vernon Road. (District II)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

58. A04-08-Request by Tara Development Inc. to Annex Lands Generally Located West of 127th Street East, Between Pawnee Road and Mt. Vernon Road. (District II)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

59. A04-09-Request by 24, LLC to Annex Land Generally Located to the Northeast of the Intersection of 127th Street East and Pawnee Road. (District II)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

60. A04-10-Request by Mr. Scott Forester to Annex Land Generally Located Near the Northwest Corner of the Intersection of Greenwich Road and Harry Street. (District II)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

61. Amendment to Contract for Consultant Services for Acquisition and Relocation: Jabara Airport Runway Protection Project and Mid-Continent Airport Runway Protection Project.

RECOMMENDED ACTION: Amend the agreement and authorize the necessary signatures.

62. Remote Parking Lot Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the project budget and contract,
adopt the resolution and authorize the
necessary signatures.

Adjournment

Workshop to follow